

Bill no.:	<u>Committee Print</u>
Amendment no.:	<u>11</u>
Date offered:	<u>10/26/05</u>
Disposition:	<u>Agreed to by VV</u>

AMENDMENT TO THE COMMITTEE PRINT
OFFERED BY MR. ENGEL OF NEW YORK, MR.
FOSSELLA OF NEW YORK, AND MR. TOWNS
OF NEW YORK

NYC broadcasting

At the appropriate place insert the following new section:

1 **SEC. _____. NYC 9/11 DIGITAL TRANSITION FUND.**

2 Part C of the National Telecommunications and In-
3 formation Administration Organization Act is amended by
4 adding after section 159 (as added by section 105 of this
5 Act) the following new section:

6 **"SEC. 160. NYC 9/11 DIGITAL TRANSITION FUND.**

7 "(a) FUNDS AVAILABLE.—From the NYC 9/11 Dig-
8 ital Transition Fund established by section
9 309(j)(8)(E)(i)(II) of the Communications Act of 1934,
10 there shall be available to carry out this section such sums
11 as may be necessary for fiscal years 2006 through 2008.
12 Any sums that remain unexpended in the Fund at the end
13 of fiscal year 2008 shall revert to and be deposited in the
14 general fund of the Treasury. The Assistant Secretary
15 may borrow from the Treasury such sums as may be nec-
16 essary not to exceed \$30,000,000 to implement and ad-



1 minister the program in accordance with this section. The
2 Assistant Secretary shall reimburse the Treasury, without
3 interest, as funds are deposited into the NYC 9/11 Digital
4 Transition Fund under section 309(j)(8)(E) of such Act.

5 “(b) USE OF FUNDS.—The sums available under
6 subsection (a) shall be made available by the Assistant
7 Secretary by grant to be used to reimburse the Metropoli-
8 tan Television Alliance for costs incurred in the design and
9 deployment of a temporary digital television broadcast sys-
10 tem to ensure that, until a permanent facility atop the
11 Freedom Tower is constructed, the members of the Metro-
12 politan Television Alliance can provide the New York City
13 area with an adequate digital television signal as deter-
14 mined by the Federal Communications Commission.

15 “(c) RULE OF CONSTRUCTION.—Nothing in this sec-
16 tion shall be construed to alter or otherwise affect the Fed-
17 eral Communications Commission’s authority with respect
18 to licensing and interference regulation.

19 “(d) DEFINITIONS.—For purposes of this section:

20 “(1) The term ‘Metropolitan Television Alli-
21 ance’ means the organization formed by New York
22 City television broadcast station licensees to locate
23 new shared facilities as a result of the attacks on
24 September 11, 2001 and the loss of use of shared
25 facilities that housed broadcast equipment.



1 “(2) The term ‘New York City area’ means the
2 five counties comprising New York City and counties
3 of northern New Jersey in immediate proximity to
4 New York City (Bergen, Essex, Union and Hudson
5 Counties) .”.

Page 11, line 13, strike “and” and after such line
insert the following new subclause (and redesignate the
succeeding subclause accordingly):

6 (II) \$30,000,000 shall
7 be deposited in a separate
8 fund in the Treasury to be
9 known as the “NYC 9/11
10 Digital Transition Fund”,
11 and be available exclusively
12 to carry out section 160 of
13 the National Telecommuni-
14 cations and Information Ad-
15 ministration Organization
16 Act; and

